

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL MEMORANDUM

HB 722 – SB 988

May 5, 2009

SUMMARY OF AMENDMENT (007411): Deletes all language after the enacting clause and excludes the sale of herbs or natural health information exchanges from the definition of naturopathy as long as the sale or exchange is not conducted to prevent, diagnose, or treat any physical ailment or physical injury and the seller of natural health information exchanges obtains a signed acknowledgement from the buyer that the seller is neither a licensed practitioner nor meets the recognized criteria to allow any form of diagnosis, treatment recommendation, or medical care in Tennessee. The seller must keep the signed acknowledgement for three years. The provisions of the bill will be repealed on June 30, 2012.

FISCAL IMPACT OF ORIGINAL BILL:

State Expenditures – Net Impact – Not Significant

Decrease Local Revenue – Not Significant

Decrease Local Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures – Not Significant

Assumptions applied to amendment:

- The Board of Medical Examiners may incur an increase in complaints and investigations of individuals accused of practicing naturopathy or engaging in the unlicensed practice of medicine. Any increase will not be significant and can be accommodated within the existing resources of the Board.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all health-related boards are required to be self-supporting over a two-year period. As of June 30, 2008, the Board had a positive balance of \$108,302.81.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/kml